

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

NEVADA FAIR HOUSING CENTER,  
INC.,

Plaintiff,

vs.

CLARK COUNTY, etc., et al.,

Defendants.

CLARK COUNTY, a political  
subdivision of the State of Nevada,

Counter-Claimant,

vs.

NEVADA FAIR HOUSING CENTER,  
INC., a Nevada non-profit corporation,

Counter-Defendant.

Case No. CV-S-05-0948-LRH-PAL

JOINT STATUS REPORT  
REGARDING SETTLEMENT  
STATUS; JOINT REQUEST FOR  
ORDER GRANTING ADDITIONAL  
TIME TO FILE NOTICE OF  
DISMISSAL; ORDER

On July 9, 2008, this Court entered an order granting plaintiff Nevada Fair Housing Center's motion for partial summary judgment against defendant Mike Willden, in his official capacity as Director of the Nevada Department of Health and Human Services ("Willden"). (Doc. 87.) Based upon that decision, the Court entered judgment in favor of plaintiff Nevada Fair Housing Center ("NFHC"). (Doc. 89.) The Court had previously granted NFHC's motion for partial summary judgment against Clark County.

1 (Doc. 57.)

2 Following entry of judgment against defendant Willden, the Court granted the  
3 parties' request for issuance of an order providing them with additional time within  
4 which to resolve NFHC's outstanding claims against defendants Willden and Clark  
5 County. (Docs. 91, 92.) NFHC resolved its claims against defendant Willden, and the  
6 Clerk has entered judgment in NFHC's favor. (Doc. 96.) The Court ordered plaintiff  
7 and Clark County to file a joint status report by September 30, 2008, outlining the  
8 remedial issues to be resolved by trial in the event they could not reach a resolution of  
9 the action. (Doc. 92.)

10 NFHC and defendant Clark County have now reached a settlement of the action  
11 in principle, but request that the Court issue an order allowing them 60 days within  
12 which to finalize the settlement. There is good cause for issuance of such an order  
13 because, as described below, the proposed settlement must be approved by the Clark  
14 County Commission before it is final.

15 The parties' settlement in principle involves payment to plaintiff of its pre-litigation  
16 and litigation attorneys' fees and costs, execution of a mutual release, and Clark  
17 County's agreement to amend its existing zoning ordinance regarding group homes for  
18 disabled persons. In order to conclude that settlement, the proposed amendment to  
19 the zoning ordinance must heard and approved and adopted by the County  
20 Commission through regular channels. The other terms of the proposed settlement  
21 also must be approved by the County Commission. Those two approvals are subject to  
22 separate notice and agenda requirements. Deputy District Attorney Rob Warhola  
23 estimates that it will take approximately 60 days to obtain both approvals, assuming that  
24 both issues are placed on the next available agendas.

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1 Accordingly, the parties request that the Court grant them an additional 60 days  
2 within which to finalize their proposed settlement and file a notice of dismissal.

3 Dated: September 30, 2008.

4 *Agreed to by the parties as indicated by the electronic signatures of counsel below.*

5 FOR PLAINTIFF NFHC:  
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FOR DEFENDANT CLARK COUNTY:

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**ORDER**

Based on the foregoing joint application and stipulation, and good cause appearing therefor, it is hereby ordered that the parties shall have 60 days from the date of issuance of this order within in which to finalize their proposed settlement and file a request for dismissal.

DATED this 1st day of October, 2008.



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE